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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/200,406

07/23/2002

Stefan Mueller

P22547

2124

7055

7590

12/01/2003

GREENBLUM & BERNSTEIN, P.L.C.  
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RESTON, VA 20191

EXAMINER

RESAN, STEVAN A

ART UNIT

PAPER NUMBER

1773

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

eb11

<b>Office Action Summary</b>	<b>Application N .</b>	<b>Applicant(s)</b>	
	09/932,802	HALL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Monique R Jackson	1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2003 .
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,6-14,16-41 and 43-70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-14,16-41 and 43-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

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|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

### **DETAILED ACTION**

1. The amendment filed 9/22/03 has been entered. Claims 1-4, 6-14, 16-41 and 43-70 are pending in the application. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 recites the limitation "A method as set forth in claim further comprising" but fails to include the claim number from which it depends. Hence, it is unclear what is meant to be encompassed by the claim.

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-4, 6-14, 16-41 and 43-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatsuya et al as generally recited in the prior office action however in view of Yonetani (USPN 5,698,301) and in further view of Spencer et al, Murayama et al, Schimmel et al and Zhao et al. The teachings of Tatsuya et al in view of Spencer et al, Murayama et al, Schimmel et al and Zhao et al are discussed in detail in the prior office action, and address the claim limitations of the instant invention except for the fact that Tatsuya et al do not specifically disclose that the phosphorescent pigment can be included within the clear coat of the composite film. However, Yonetani et al teach a phosphorescent coating system wherein phosphorescent pigment, namely  $\text{SrAl}_2\text{O}_4$ , is included in a transparent resin layer to provide a phosphorescent coating layer on an article, such as automobile parts, so as to provide a very high luminance of emitted light and very long afterglow times (Abstract; Col. 1-2.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to include

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phosphorescent pigment in the transparent or clear coat layer of the invention taught by Tatsuya et al in order to provide a very high luminance of emitted light and very long afterglow times as taught by Yonetani et al.

*Response to Arguments*

4. Applicant's arguments and declaration submitted 9/22/03 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 703-308-0428. The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J Thibodeau can be reached on 703-308-2367. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



Monique R. Jackson  
Primary Examiner  
Technology Center 1700  
November 22, 2003